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SEC

SERVICE DATE – MAY 18, 2005

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. 42069

DUKE ENERGY CORPORATION

v.

NORFOLK SOUTHERN RAILWAY COMPANY

STB Docket No. 42070

DUKE ENERGY CORPORATION

v.

CSX TRANSPORTATION, INC.

STB Docket No. 42072

CAROLINA POWER & LIGHT COMPANY

v.

NORFOLK SOUTHERN RAILWAY COMPANY¹

Decided: May 17, 2005

The parties to these proceedings, Duke Energy Corporation, Carolina Power & Light Company, Norfolk Southern Railway Company, and CSX Transportation filed separate motions on May 16, 2005, and May 17, 2005, requesting a modification of the procedural schedules for their respective cases. The Board established procedural schedules in these proceedings in a single decision served on January 6, 2005, and amended those schedules in a decision served on April 19, 2005. The parties seek to extend the deadline for filing their opening statements by 30 days, and to modify in a corresponding manner the deadlines for reply statements, rebuttal statements, and briefs. The parties also ask for expedited consideration.

The requests are reasonable. Accordingly, the motions to extend the procedural schedules in these cases will be granted.

¹ These proceedings are not consolidated. They are being handled together in a single decision for administrative convenience.

It is ordered:

1. The parties' motions to modify the procedural schedules, as amended in the April 19, 2005 decision, are granted.

2. The procedural schedule for STB Docket No. 42069 is as follows:

July 1, 2005	Opening statement due.
August 1, 2005	Reply statement due.
September 1, 2005	Rebuttal statement due.
October 3, 2005	Briefs due.

3. The procedural schedule for STB Docket No. 42070 is as follows:

June 27, 2005	Opening statement due.
July 27, 2005	Reply statement due.
August 26, 2005	Rebuttal statement due.
September 26, 2005	Briefs due.

4. The procedural schedule for STB Docket No. 42072 is as follows:

July 11, 2005	Opening statement due.
August 11, 2005	Reply statement due.
September 12, 2005	Rebuttal statement due.
October 12, 2005	Briefs due.

5. This decision is effective on the service date.

By the Board, Vernon A. Williams, Secretary

Vernon A. Williams
Secretary